

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
No. 25-cv-22896-KMW**

FRIENDS OF THE EVERGLADES, INC., et al.,

Plaintiffs,

v.

KRISTI NOEM, et al.,

Defendants.

**DEFENDANT FDEM’S RESPONSE TO PLAINTIFFS’
NOTICE OF SUPPLEMENTAL AUTHORITY**

Hours before this Court’s hearing on whether Plaintiffs have chosen the wrong venue, Plaintiffs submitted an unauthorized sur-reply disguised as a notice of supplemental authority—a discussion of a twelve-year-old case that could have been included in their two previous filings on venue. *See* Doc. 70 (*United States v. Dep’t of Corr.*). The case only underscores that venue is improper.

In *Corrections*, the United States sued Florida under RLUIPA for denying kosher meals to prisoners. In holding that venue was proper in the Southern District, the court found prisoners had suffered “harm” there. 2012 WL 6626818, at *2. The reason that harm established venue was that “several prisoners ... ha[d] been denied kosher meals” by the State in the Southern District, so “[t]he events giving rise” to the claim had “occurred” there. *Id.* In other words, the “acts or omissions by the defendant” that “gave rise to the lawsuit”—denial of kosher meals—occurred in the Southern District. *Rodriguez–Diaz v. Donald*, 2015 WL 11217234, at *2 (S.D. Fla. Apr. 1, 2015) (Williams, J.).

Not so here. All the acts that Plaintiffs claim will cause harm occurred in Collier County, Tallahassee, and the District of Columbia. Doc. 65 at 6-10.

Dated: July 29, 2025

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capacity as Executive Director of the Florida
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CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2025, the foregoing was filed with the Clerk of Court using CM/ECF, which will serve a Notice of Electronic Filing on all counsel of record.

s/ Jesse Panuccio
Jesse Panuccio